REMARKS

This Amendment responds to the Office Action dated January 11, 2006.

The Examiner rejected claims 1-4 under 35 U.S.C. §103(a) as being obvious in view of the combination of Inoue et al., U.S. Patent No. 5,832,085 (hereinafter Inoue) and Okuyama et al., U.S. Patent No. 5,987,126 (hereinafter Okuyama). The Examiner rejected claims 5-15 under 35 U.S.C. §103(a) as being obvious in view of the combination of Inoue, Okuyama, and Oskouy et al., U.S. Patent No. 6,791,947 (heeinafetr Oskouy). The Examiner rejected claims 16-18 under 35 U.S.C. §103(a) as being obvious in view of the combination of Inoue, Okuyama, and Yanagihara et al., U.S. Patent No. 5,684,917. The Examiner rejected claim 19 under 35 U.S.C. §103(a) as being obvious in view of the combination of Inoue, Okuyama, Yanagihara, and Takeda, et al., U.S Patent No. 6,101,215.

The Examiner indicated that the rejection of each of the claims was premised on the Examiner's interpretation of the claim term "copying" as occurring when converting data from one format to another. On that basis, the Examiner contends that the claimed step of "copying" MPEG data into a DIF block is met by a reference that discloses a process of converting an MPEG data stream into a DVC format having DIF blocks, before storing the DVC data. Although the applicant disagrees with this claim interpretation (the term "copy" is defined by Webster's Third International Dictionary as being an "imitation" "replica" or "reproduction", which would not read on data altered to a different format), the applicant has nonetheless amended each of the independent claims to eliminate the Examiner's claim interpretation.

Each of independent claims 1, 5, 10, 13, 16, 17, and 18 have been amended to clarify that MPEG data is copied "in an MPEG format and without conversion to another format, into a DIF data block." The Examiner indicated agreement that this limitation is not disclosed by any of the cited combinations, which each rely on a combination of Inoue and Okuyama.

Inoue discloses a digital recording method in which video input of various formats may be recorded as MPEG video by a video recorder. Inoue states unequivocally that the purpose of the disclosed invention is to record video data in a single format. *See* Inoue at Abstract and at

col. 3 lines 26-29. Therefore, no combination involving Inoue would include the feature of inserting MPEG data (in an MPEG format) into a DIF block (which is a DV format) and storing the DIF block that then contains MPEG formatted data.

Okuyma discloses an apparatus intended to preserve copy protection data encoded in the format of a player device, such as a cassette player or set top box when converting to the format of a storage or recording device. When describing this apparatus, Okuyama notes the variety of types of input devices having different output formats, such as a VCR recorded in a standard definition DV format or a DVD player or set top box that outputs MPEG formatted data in either standard or high definition. Okuyama discloses an IEEE interface capable of transporting data from any of these formats into the recording device where it is converted to the appropriate recording format. Copy protection is preserved by reading the copy protection data in whatever format it happens to be output from the player device, converting the copy protection data to the format of the storage device and inserting it into the data stream of the storage device after the remainder of the input data has been converted to the format of the storage device.

In neither reference is any MPEG data inserted, as MPEG formatted data and without conversion, into a DIF block. For example, at col. 12 line 41 to col. 13 line 41 Okuyama discloses a player device (shown as element 21 in FIG. 4) comprising a VCR that outputs data in a DV format having DIF blocks. After detecting any copy flag information in the DV data and storing the data in an IEEE 1394 stream, the data is forwarded to a recording device 23 for converting to the format of the recording device. At no point does Okuyama disclose that the DIF blocks include MPEG data, nor would one reasonably skilled in the art expect them to.

Conversely, Okuyama discloses at col. 13 line 42 to col. 14 line 6 that a player device such as a set top box (shown as element 22 in FIG. 4) may output data in MPEG format that, like the DV data of the VCR, is stored in an IEEE 1394 stream after detection of any copy protection and forwarded to the recorder for any necessary conversion. However, none of the MPEG data is ever inserted into a DIF block.

As stated previously, the Examiner has not indicated any disagreement with the foregoing characterization of either of these references; rather, the Examiner simply took a more expansive

claim interpretation than what was intended, and what was previously argued. In light of the present amendments, the applicant therefore respectfully suggests that the rejection of each of claims 1-19 should be withdrawn.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 1-19.

Respectfully submitted,

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